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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

In re D.J., a Person Coming Under the
Juvenile Court Law.

B236365
(Los Angeles County
Super. Ct. No. FJ48653)

THE PEOPLE,

Plaintiff and Respondent,

v.

D.J.,

Defendant and Appellant.

APPEAL from an order of the Superior Court of Los Angeles County. Cynthia Loo, Juvenile Court Referee. Affirmed.

Courtney M. Selan, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

FACTUAL BACKGROUND

On February 12, 2011, at about 2:00 p.m., the victim Guadalupe Solache was walking back from work on 49th Street in Los Angeles. He was with his partner Maria Lopez and Lopez's six-year-old daughter. D.J. (minor) and two other young men approached Solache and Lopez. The minor pushed Solache and said, "Give me the money," and "What is your problem?" The minor placed his hands at his waistband and said, "I am going to kill you." Solache did not see a gun, but he was scared that the minor was going to kill him. The other two young men stood by the minor "like guards" with their fists balled up in a fighting stance. Lopez called the police on her cell phone. The minor and his companions ran off. Some people nearby pointed to a house about five houses down where the minor or one of his companions lived.

The minor's cousin A.D. was one of the three young men; their friend G.P. was the other. According to A.D., he bumped into Solache, who responded, "is there a problem?" A.D. said, "no," but G.P. and the minor said, "yeah" and the minor added, "it is a problem." G.P., the third man, acted like he had a gun in his waistband. A.D. denied that they tried to rob Solache. When the police arrived, A.D., the minor, and G.P. ran away.

Los Angeles Police Department Officer Joseph Oseguera spoke to Solache and Lopez shortly after the incident. Solache told him that three people came up to him. One of them demanded money, the second person threatened to kill him, and the third acted as a lookout. The person who confronted him yelled, "Give me the money," while the other person said, "Shut up mother fucker." Both of these young men reached into their waistbands, while the third stood off to the side. Officer Oseguera conducted an investigation of the area and found the minor, G.P. and A.D. At a field showup conducted about 30 minutes after the incident, Solache identified G.P. as the primary aggressor, and stated that G.P. had pushed him and demanded money. Police arrested the minor and G.P. and released A.D.

PROCEDURAL HISTORY

On April 13, 2011, a petition was filed under Welfare & Institutions Code section 602 alleging two counts of attempted robbery (Pen. Code, §§ 664 & 211) against the minor. The petition further alleged that the minor was not detained, and that he was residing with his grandmother.

The adjudication hearing commenced June 28, 2011, and on September 15, 2011, the court sustained the petition on count one, dismissed count two, and declared the minor a ward of the court. The court placed the minor on home probation.

We appointed counsel to represent the minor on appeal. After examination of the record, counsel filed an opening brief raising no issues and asking this court to independently review the record. On April 4, 2012, we advised the minor he had 30 days within which to personally submit any contentions or issues he wished us to consider. To date, we have received no response.

We have examined the entire record and are satisfied that the minor's counsel has fully complied with her responsibilities, and no arguable issues exist. (*People v. Kelly* (2006) 40 Cal.4th 106, 109–110; *People v. Wende* (1979) 25 Cal.3d 436, 441; *In re Kevin S.* (2003) 113 Cal.App.4th 97, 99.)

DISPOSITION

The order is affirmed.

JOHNSON, J.

We concur:

MALLANO, P. J.

ROTHSCHILD, J.